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Attorneys for Defendant APPLE INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.

Plaintiff, Counter-defendant

v.

APPLE INC.,

Defendant, Counterclaimant

Case No. 4:20-cv-05640-YGR

**DECLARATION OF JULIAN W.
KLEINBRODT IN SUPPORT OF APPLE
INC.'S OBJECTIONS TO SPECIAL
MASTER RULINGS ON APPLE INC.'S
PRODUCTIONS OF RE-REVIEWED
PRIVILEGED DOCUMENTS**

The Honorable Thomas S. Hixson

DECLARATION OF JULIAN W. KLEINBRODT IN
SUPPORT OF APPLE INC.'S OBJECTIONS TO
SPECIAL MASTER RULINGS ON APPLE INC.'S
PRODUCTIONS OF RE-REVIEWED PRIVILEGED
DOCUMENTS

CASE No. 4:20-cv-05640-YGR

1 I, Julian W. Kleinbrodt, hereby declare as follows:

2 1. I am an attorney licensed to practice in the State of California, and a member of the Bar
3 of this Court. I am a partner at the law firm Gibson, Dunn & Crutcher LLP (“Gibson Dunn”), counsel
4 of record for Apple Inc. (“Apple”) in this case. I have personal knowledge of the facts stated below and,
5 if called as a witness, would testify competently thereto.

6 2. I have represented Apple in this litigation since 2020. I was promoted to partner at Gibson
7 in 2024.

8 3. I understand that Apple is appealing certain rulings by the Special Masters regarding
9 Apple’s assertion of the attorney-client privilege and work product protection for certain documents
10 Apple redacted or withheld in connection with injunction compliance proceedings. I submit this
11 declaration to provide further information with respect to one of these documents. I refer to the document
12 by its corresponding Bates number or entry number on Apple’s privilege log in this matter.

13 4. In the days and weeks after the Court’s ruling in September 2021, I was closely involved
14 in Apple’s response to the Injunction ordered by the Court.

15 5. Entry No. 727 (PRIV-APL-EG_00072541) is a compilation of key quotations and
16 passages from the Court’s Rule 52 Order on the merits following the trial that I drafted and revised.
17 Other attorneys at Gibson Dunn contributed to and revised the document.

18 6. I drafted this document for the purpose of providing legal advice and analysis to Apple
19 regarding the implications of and conclusions in the Court’s ruling. This document reflects my legal
20 judgment and mental impressions about the import of those implications and conclusions.

21 7. It is my view that this document was created and transmitted for the primary and
22 predominant purpose of advising my client in connection with ongoing litigation.

23 8. I confirmed that this document is stored on Gibson Dunn’s document management
24 system, dated September 13, 2021. The document’s metadata indicates that I am the author of the
25 document and that the document was edited by other attorneys at Gibson Dunn.

1 I declare under penalty of perjury under the laws of the United States of America that the foregoing is
2 true and correct.

3 Dated: February 10, 2025

Respectfully submitted,

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5 By: _____

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